IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7552 OF 2004

Sai Repowering Works Pvt.Ltd. & Anr. .. Petitioners
V/s
Union of India & Ors. .. Respondents

Mr.V.V.Pai with Mr.H.R.Shetty for the Petitioners.
Mr.P.S.Jetly with Mr.Y.R.Mishra for the Respondents.

CORAM: S.RADHAKRISHNAN &
J.P.DEVADHAR, JJ.

DATE : 09.02.2005.

P.C.:

1. Heard the learned Counsel for the parties. The learned Counel for the Petitioners fairly states that pursuant to our order dated 1.2.2005 the Respondents have refunded an amount of Rs.3,17,004/- to the Petitioners on 2.2.2005. Now the only dispute is with regard to the award of interest for the delayed refund. It appears that the Commissioner of Customs (Appeals) had passed an order on 20th July, 1998. Thereafter the Respondents have not preferred any further appeal against the said order.

2. After hearing the learned Counsel for the parties, the learned Counsel for the Respondents fairly states that on the issue of award of interest, Mr.S.S.Katiyar, the Deputy Commissioner of Customs Group-VIID JNCH, Sheva will afford an opportunity of personal hearing to the Petitioners and will pass a reasoned order.

3. Under these circumstances, we direct the petitioners to remain present before Mr.S.S.Katiyar, the Deputy

Commissioner of Customs Group-VIID JNCH, Sheva on 15.2.2005 at 11.00 a.m. After affording an opportunity of personal hearing to the Petitioners, the aforesid Deputy Commissioner of Customs Group-VIID JNCH, Sheva shall pass a reasoned order within a period of two weeks thereafter and shall communicate the said order to the Petitioners.

4. Writ Petition stands disposed of in the above terms.

5. Parties to act on an ordinary copy of this order duly authenticated by the Personal Secretary or the Associate.

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